

REMARKS

The Examiner has required an election in the present application between numerous methods/compositions.

For the purpose of examination of the present application, Applicants elect, with traverse, the species of sorbitan fatty acid ester at 100 ppm or 10 ppm as component (A), and components (B)-(E) as follows:

- (B) fructose at 1.0% + glucose at 1.0%;
- (C) gibberellin (GA3) at 1 ppm;
- (D) silver thiosulfate at 0.001%;
- (E) aluminum sulfate with 13 to 14 H₂O at 0.05%;
- (F) Proxel at 200 ppm.

The elected species are supported in Table 1, No. 18 (see present specification at page 15); Table 5, No. 32; Table 7, No. 45; Table 9, No. 56; Table 11, No. 67; Table 13, No. 81; Table 18, No. 107; Table 24, the 8th from the top of "Inventive Product" section (see Rule 132 Declaration filed March 26, 2003); and Table 25, the 8th from the top of "Inventive Product" section.

Applicants respectfully traverse the present election of species requirement, because the full scope of the instantly pending claims has already been considered. For example, in the Amendment and Reply Under 37 C.F.R. § 1.111 (filed December 31, 2002), the amendment to claim 1 merely incorporated the subject matter of claims 3-5, which have already been considered.

As acknowledged by the Examiner, a method of treating a plant with a composition comprising a sugar structure or sugar alcohol plus a compound selected from a sugar, plant hormone, aging inhibitor, aggregating agent and germicide, fungicide and preservative is generic.

Claims readable on the instantly elected species of the invention are believed to include instant claims 1-2, 6-15, 7-20 and 27-30.

Declaration Under 37 C.F.R. § 1.132

On March 26, 2003, a Supplemental Reply Under 37 C.F.R. § 1.111 was filed in the matter of the present application. An unsigned Declaration Under 37 C.F.R. § 1.132 was submitted therewith. Accordingly, a signed copy of the Declaration is provided herewith.

The Examiner is respectfully requested to pass the application to issue. Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Eugene T. Perez (Reg. No. 48,501) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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By 

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JWB/ETP
0425-0821P

(Rev. 01/02/02)